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THE WHITE HOUSE

WASHINGTON

June 24, 1977

MEMORANDUM FOR SECRETARY OF STATE
SECRETARY OF TREASURY
SECRETARY OF DEFENSE
ATTORNEY GENERAL
SECRETARY OF LABOR
SECRETARY OF HEALTH, EDUCATION, AND WELFARE
SECRETARY OF TRANSPORTATION
U.S. REPRESENTATIVE TO THE UNITED NATIONS
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
DIRECTOR OF CENTRAL INTELLIGENCE
ADMINISTRATOR OF VETERANS AFFAIRS

FROM: PETER G. BOURNE, M.D. *PB*
SPECIAL ASSISTANT TO THE PRESIDENT
AND DIRECTOR, OFFICE OF DRUG ABUSE POLICY

SUBJECT: PRESIDENTIAL MESSAGE ON DRUG ABUSE

Attached is a draft of the President's Message on Drug Abuse for your review. I would appreciate having your comments by close of business on Monday, June 27. If we have not heard from you by then, we will assume your concurrence in the substance and wording of the Message.

Thank you.

Attachment

(EXEMPT BY REGISTRY)

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NSC review completed.

Drug abuse continues to be a serious social problem in America. The lives of hundreds of thousands of addicts are shattered by their dependence on drugs. Many communities remain unsafe because of rampant, drug-related street crime, and the immense profits made in the illicit drug traffic help support the power and influence of organized crime. Among young American men aged 18-24 years, drugs are the fourth most common cause of death; only automobile accidents, homicides, and suicides rank higher. It has been estimated that the annual total cost of drug abuse in America exceeds 15 billion dollars. The disproportionate incidence of addiction among minority groups is of special concern. The level of drug abuse and its extraordinary cost can be reduced, but the job will not be easy.

Drug addiction, which was once viewed as a problem of America alone now afflicts people throughout the world. We can no longer concern ourselves merely with keeping drugs out of the United States, but we must join with the community of nations to deal with what has become a global affliction. We must develop a strategy that addresses the worldwide nature of the drug trafficking networks and the treatment of addiction wherever it occurs.

We must establish our priorities carefully, giving our foremost attention domestically to those drugs that pose the greatest threat to health, and to our ability to reduce crime in America. Heroin, barbiturates and other sedative/hypnotic

drugs are the cause of 90 percent of our drug-related deaths, and these drugs, therefore, should receive our greatest emphasis. We must create a balance between tough law enforcement aimed at those who traffic in drugs, and quiet compassion for those who become the unfortunate victims of drug abuse. At the same time, we must set realistic objectives that we may reasonably achieve with the resources available to us.

My goals are to discourage the abuse of all drugs including alcohol and tobacco, and to reduce to a minimum the deaths, crime and other social costs that arise when it does occur. To achieve these goals our Federal resources must be effectively managed. At present our effort is divided among more than twenty different, and often competing, agencies, so that our policy lacks overall direction. On March 14, I established the Office of Drug Abuse Policy to coordinate the total Federal effort against drug abuse, and to formulate our overall national policy. This Office will seek to end the longstanding fragmentation among our international programs, drug law enforcement, treatment and rehabilitation, prevention, and regulatory activities. I will seek the counsel and active involvement of members of the Cabinet on all drug abuse policy questions, through a revitalized Strategy Council on Drug Abuse. As part of the overall reorganization study of the Federal Government, the Office of Drug Abuse Policy will examine the roles and functions of the various agencies involved in this field and recommend to me whatever organizational changes they may feel would increase the efficiency of our national drug abuse effort.

International Cooperation

For those drugs derived originally from plant sources outside the United States, particularly heroin and cocaine, successful diplomatic agreements to control the cultivation and trafficking are the key to a successful strategy. The removal of Turkey, once the source of 90 percent of the heroin in the United States, from the illicit market was the result of such an agreement. In addition, the enormous profits generated by the illicit drug traffic have a devastating impact on the economies of many smaller countries, fueling inflation, and draining tax revenues. The drug traffic also engenders corruption and corrodes the political stability of otherwise strong nations. Regardless of the drug being trafficked, the economic, social, and political effects are the same.

We must work closely with other governments to assist them in their efforts to eradicate the cultivation of drugs, and to develop legitimate substitute crops for the frequently destitute farmers for whom the innocent cultivation of crops such as opium has for generations been their only source of income. Interdiction capabilities must also be strengthened, so that those drugs which do enter the international illicit market can be stopped short of their intended destination. We will continue to assist other countries to develop the capability to identify and interdict major trafficking organizations.

Since I took Office we have made significant progress. In February I discussed with President Lopez-Portillo of Mexico my

deep concern about the cultivation of opium in his country. Under his strong leadership an intensive eradication program has now produced dramatic results significantly reducing the availability of heroin on our streets from that source. In addition, President Ne Win of Burma, and Prime Minister Thanin of Thailand have placed a unique priority on the control of drug cultivation and trafficking in their countries. Most recently I have received assurances from President Lopez-Michelsen of Colombia of his strong desire to work very closely with me to curtail the flow of drugs between our two countries.

As a result of these efforts the availability and purity of heroin in our country has dropped in the last six months to one of the lowest levels in recent history.

There is, however, more that we can do. I am recommending in addition the following actions:

- (1) The Secretary of State shall attach high priority to the international narcotics control program, and shall continue to strongly encourage foreign governments to curtail the production and traffic of illicit drugs.
- (2) The U.S. Agency for International Development shall include consideration of narcotics control requirements, particularly in the area of crop and income substitution, in all bilateral and multi-lateral development projects for countries which contribute to the illicit drug market.
- (3) I strongly support the work of the United Nations Fund for Drug Abuse Control (UNFDAC), the United Nations

Commission on Narcotic Drugs, the International Narcotics Control Board, the World Health Organization, and other organizations working within the framework of the United Nations in their efforts to help drug-producing countries find alternate crops, improve drug control measures, and make treatment resources available.

- (4) I am instructing the United States representatives to the loan committees of the Regional Development Banks and other international financial institutions to use their votes and influence to encourage rural development and income substitution projects in countries which now produce dangerous drugs but are otherwise eligible for loans.
- (5) Because of the need to improve international controls over dangerous drugs which have legitimate medical uses, like barbiturates and amphetamines, I am urging the Congress to adopt legislation to implement the Convention on Psychotropic Substances, and the Senate to ratify the treaty promptly.
- (6) I will emphasize international cooperation among drug law enforcement agencies, so that intelligence and technical expertise can effectively be shared. I will encourage other countries to send law enforcement officials to work with us in major drug transit countries to improve interdiction capabilities. This kind of cooperative effort has begun in Bangkok where

French, German, British, Dutch, U.S. and Thai officials work together on drug interdiction.

Because of my belief that no one, anywhere, who suffers from drug abuse should be denied compassionate treatment or medical assistance, I will promote the sharing of knowledge and expertise in these fields by the following steps:

- . We will support international demonstration and pilot treatment projects.
- . We will support training, research and technical assistance projects, including providing American experts as consultants so that countries with significant drug problems may more effectively treat their own addicts.

Law Enforcement

We must vigorously enforce our laws against those who traffic in drugs, so that the attraction of large profits is outweighed by the risk of detection and the certainty of conviction. The Federal Government's job is to deter, and where possible prevent entirely, illegal importation and major trafficking of controlled substances. Drug traffickers must understand they face swift, certain, and severe punishment; and our law enforcement and judicial systems must have the resources to make this prospect a very real threat. We must make certain that our financial resources are intelligently committed, revise our penalty structure where necessary to concentrate on the actions (and the drugs) that are most dangerous, and improve the administration of justice. Where

drug traffickers are operating on a sufficient scale that they have no direct contact with the drugs, we must marshall our Federal effort to attack the illicit financial resources that are capitalizing the traffic.

To bolster the Federal effort I am recommending the following steps:

- . First, I am directing the Attorney General to intensify investigations of the link between organized crime and the drug traffic, and to recommend, within 90 days, appropriate measures to be taken against these syndicates.
- . Second, I am directing the Department of Justice in conjunction with the Departments of State and Treasury to develop, wherever possible, cooperative arrangements with other countries to revoke the passports of known major traffickers, and to freeze assets accumulated in the illegal drug traffic.
- . Third, to ease the burden on the Federal District Courts, which must hear major drug cases, I support legislation widening the jurisdiction of U.S. Magistrates to include all misdemeanor cases with sentences of up to one year.
- . Fourth, I support legislation which raises from \$2,500 to \$10,000 the dollar value of the property which can be seized from a drug violator by administrative action. It also includes cash in the definition of seizable property. Amounts above this figure will continue to require Court proceedings.

. Fifth, For nearly a decade, the Federal Government's financial support of State and local drug law enforcement activity has steadily expanded. We should evaluate the results of this effort, and determine whether Federal participation should be reoriented or redistributed, as well as assessing the most effective division of responsibility between Federal and local officials. The Office of Drug Abuse Policy is currently conducting a series of policy reviews. The first such review involves a consideration of the appropriate Federal role in drug law enforcement, as well as border enforcement issues such as border security and drug trafficking intelligence. I expect to receive the results of these reviews by the end of August and to act on them quickly.

In addition, certain other measures are presently under consideration. I am considering submitting legislation that would deny release, prior to trial, for persons charged with drug trafficking offenses and who, for example, have been previously convicted to a felony involving drugs, are on parole, are convicted fugitives, have a false passport, or are illegally present in this country. Such legislation would be intended to prevent them from using immense wealth to post bail and escape justice; it would include a provision granting the accused an expedited trial. We will also consider increasing the penalties for major traffickers. I will direct the Attorney General to study the merits of these provisions, and report back to me within 90 days.

I also have under consideration changing certain provisions of the Tax Reform Act of 1976. This Act was designed to protect the right to privacy of our citizens. However, certain provisions may be found to impede investigations of major narcotics traffickers. I will, therefore, request the concerned agencies to work with the Tax Reform Act in order to determine over the next few months the difficulties, if any, it presents to effective law enforcement efforts. If the Act has too negative an impact on our prosecution of major traffickers, we may ask for amendment of the relevant provisions sometime in the future.

Marihuana

The use of marihuana continues to be an emotional and controversial issue. Our effort to apply stringent laws to discourage the use of the drug has not been successful. More than 45 million Americans have tried marihuana and an estimated 11 million are regular users. Drug laws should be written to discourage drug abuse, but not at the price of undermining respect for the law. Too often, they have reflected moral disapproval and fear instead of reasoned and dispassionate judgment. Penalties against possession of a drug should not be more damaging to an individual than the use of the drug itself; and when they are, they should be changed. In that light, I favor the decriminalization of the Federal law regarding possession of small amounts of marihuana for personal use. The law would be decriminalized only for the

use of marihuana -- trafficking in the drug would still remain a Federal offense. This action would not result in decriminalization nationwide, as each State would still have the option to determine its own penalties. I appreciate that the feelings on this issue vary significantly from one area of the country to another, and that it may not be appropriate to decriminalize the laws on possession in every State.

While the evidence to date shows that the medical damage from marihuana use may be limited, we should be concerned that chronic intoxication with marihuana or any other drug may deplete productivity, causing a person to lose interest in his social environment, his future and other forms of recreation. Decriminalization is not legalization, it means only that the penalty would be reduced and a person would receive a fine rather than a criminal penalty.

Drug Treatment

My immediate objective will be to widen the scope and improve the effectiveness of Federal drug treatment programs. It is important that we maintain the opportunity for all drug abusers to obtain high quality treatment. Drug addiction can be cured, but we must treat not only the immediate affects of the drugs, but also provide adequate rehabilitation including job training so that an addict can regain a productive role in society. In the past the Federal treatment effort has focused heavily on the heroin addict while those dependent on other drugs or combinations of drugs have often been neglected.

To improve the quality of the Federal treatment effort I am recommending the following steps:

- . First, in recognition of the devastating effects that certain non-opiate drugs can have if abused, I am directing the National Institute on Drug Abuse to place high priority in its treatment programs to providing care for abusers of barbiturates, amphetamines, and multiple drugs used in combination including alcohol.
- . Second, to help drug abusers return to productive lives, I am directing the Secretary of Labor to identify all Federal employment assistance programs which could possibly provide assistance to former drug abusers and to provide me, within 120 days, his recommendations for increasing the access of drug abusers to these programs.
- . Third, to increase the opportunity for Federal probationers and parolees to receive community-based treatment, I am submitting to the Congress legislation to repeal the Narcotics Addict Rehabilitation Act and transfer its responsibilities from the Department of Justice to the courts.
- . Fourth, a sustained effort must be made to further identify the reasons that people turn to drugs including alcohol and cigarettes. We should seek more effective ways to make people aware of the health problems that drugs create (particularly cigarettes and alcohol) and to respond in more constructive ways to the human and psychological needs that drugs satisfy.

Drug Research

There has been no serious attempt to coordinate Federal intramural research on opiates and alcohol despite the fact that there are many commonalities in the two fields. A joint Federal research center may not only save money, but may also lead to greater scientific understanding of addiction problems. I am directing that a study be conducted to determine the feasibility of moving the Addiction Research Center, presently located in Lexington, Kentucky to Washington, D.C. where it would become the Federal facility to cover intramural research not only on drugs, but also on alcohol and tobacco abuse.

Administrative Action

Improved treatment and prevention programs should be accompanied by appropriate changes in Federal regulations; administrative practices, and enforcement, among which are these:

- . First, I am recommending that special attention throughout the Federal Government be directed to problems related to the abuse of drugs that come originally from legitimate medical sources and particularly barbiturates. These drugs, despite their recognized medical use, are responsible for many deaths and are frequently used in suicide attempts. To withdraw from their addiction is more difficult and more dangerous than to withdraw from heroin. They are frequently oversold, overprescribed, and overused. Therefore, I will:

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- Instruct the Secretary of Health, Education, and Welfare to undertake a study of barbiturates and other sedative-hypnotic drugs to determine which of them may be used with the greatest safety, and which are the most effective;
- Instruct the Secretary of Defense, the Secretary of Health, Education, and Welfare, and the Administrator of Veterans' Affairs to review the prescribing practices of physicians under their jurisdiction, and to discourage the medical use of barbiturates and sedative-hypnotics except in cases where it is unmistakably justified.
- Continue the program, already begun at my direction, by which the Drug Enforcement Administration is giving priority attention to barbiturate offenses. DEA has directed its regional offices and task forces to put barbiturate cases at the top of their agenda, and has also begun to investigate the "street" market in order to determine the source of illegal supplies so that suitable Federal action may be taken. In the near future, DEA will conduct a special accelerated audit of the 120 companies lawfully manufacturing barbiturates in this country and will also notify foreign

governments of our desire to see them maintain strict controls over barbiturate exports.

- . Second, by letter to the Commissioner of the Food and Drug Administration, I am today indicating my desire for that agency to undertake a review of those drugs particularly subject to abuse to determine whether they should remain on the market, taking into consideration not only their safety to the individual but also the dangers they pose to the public at large. I support legislation which would give the FDA authority to apply standards of safety and efficacy to all drugs by repealing those laws which exempt drugs on the market before 1938. A number of amphetamines and barbiturates would fit into this category and escape full FDA control.
- . Third, despite the prohibitions of the Controlled Substances Act, some physicians still knowingly and often unknowingly overprescribe a wide variety of drugs. Through careful education of physicians, the prescribing of barbiturates has been voluntarily reduced by 73 percent during the last five years. For the small number of physicians continuing to misprescribe these drugs deliberately, I am directing the Attorney General, in full cooperation with State officials, to intensify their efforts to identify and prosecute these violators.

No government can completely protect its citizens from all harm -- not by legislation, or by regulation, or by medicine, or by advice. Drugs cannot be forced out of existence; they will be with us for as long as people find in them the relief or satisfaction they desire. We also should not be unduly alarmed by the use of drugs when maturity and good judgement is involved in their use. But the harm caused by drug abuse can be reduced. We cannot talk in absolutes -- that drug abuse will cease, that no more illegal drugs will cross our borders -- these may never be realistic goals. We can bring together the resources of the Federal Government intelligently to help protect the overwhelming majority of the public who never abuse but for whom it poses the threat of broken families, a lost child or fear to walk the streets at night. Beyond that, we must understand why people seek the experience of drugs, and address ourselves to those reasons. For it is ultimately the strength of the American people, of our values and our society, that will determine whether we can put an end to drug abuse.